

IN THE UNITED STATES FEDERAL DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

IN RE: THE FINANCIAL OVERSIGHT  
MANAGEMENT BOARD FOR PUERTO  
RICO

||  
|| CASE NO. 17-BK- 3283-LTS

as representative of THE  
COMMONWEALTH OF PUERTO RICO

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AMENDED NOTICE OF APPEAL

**Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s): JAVIER MANDRY-MERCADO  
\_\_\_\_\_
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:  
For appeals in an adversary proceeding. For appeals in a bankruptcy case and not in an adversary proceeding.  
☐ Plaintiff ☐ Defendant ☐ Debtor  
☐ Other (describe) ☒ Co-Creditor  
\_\_\_\_\_  
☐ Trustee  
☐ Other (describe) \_\_\_\_\_

**Part 2: Identify the subject of this appeal**

1. Describe the judgment, order, or decree appealed from: SEE PART 4.
2. State the date on which the judgment, order, or decree was entered: Docket 712  
Docket 822

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: COMMONWEALTH OF PR  
Attorney: WANDYMAR BURGOS-VARGAS  
Deputy Secretary in Litigation  
Department of Justice

P.o. Box 9020192  
San Juan, Puerto Rico 00902-0192  
Phone: 787-721-2940 Ext. 2500. 2501

2. Party: SUCN PASTOR MANDRY MERCADO (SEE EXHIBIT A FOR COMPONENTS)  
ATTORNEY:

MARÍA E. VICÉNS RIVERA  
USDC- PR 226711  
9140 MARINA ST., SUITE 801  
PONCE, PUERTO RICO 00717  
TEL. / FAX: (787) 259-1999  
E-mail: mevicens@yahoo.com

Part 4: This amendment substitutes Docket entry no. 1182 for purposes of clarifying both the subject-matter of the appeal and to fully comply with the content requirements per FRAP 4. It also serves to clarify the particular determinations that will be object of appeal because the Court considered that I was requesting a rehearing for the original relief from stay (Docket 600). This would be incorrect because my motion to vacate judgment raises an issue of nullity for non-joinder of indispensable parties to that judgment. Despite the motion for rehearing was timely, different rules of procedure apply.

Furthermore, I am hereby appealing the judgment Docket entry no. 712 of the denial of vacation of judgment, Leave for Third-party standing, Leave to file cross-claim (adverse proceeding), Issuance of Sanctions to counsel. I am also appealing the motion for reconsideration (Docket entry 822) and its final judgment at Docket entry 844.

The relevant docket entries for appeal are: 304,305,439,557,600,634,639,684,712, 822, 844,1182,1198

**Part 5: Sign below**



Date: \_\_\_ September 14, 2017

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Name, address, and telephone number of attorney (or  
appellant(s) if not represented by an attorney):  
JAVIER MANDRY-MERCADO  
1326 CALLE SALUD APT 1101  
PONCE, PR 00717  
787-685-3739

Note: The date reflects the date this motion was mailed, but seems to have been lost in the mail and originals were never filed. This is a second mailing of the same motion. 12/2/17. Only dockets 712,822,1182 and 1198 were transmitted to CA01 on 11/28/17 per docket 1862. Please order clerk to transmit dockets not transmitted.

EXHIBIT A (clients represented by Maria Vicens)

Name	Percentage of participation
Sucn. Salvador Eduardo Mandry Nones	20.90
Estrella María Aparicio Vázquez	14.80
Oscar Adolfo Mandry Aparicio	7.85
Víctor Robert Fingerhut Mandry	6.80
Yvelisse Helena Fingerhut Mandry	6.80
Margaret Ann Fingerhut Mandry	6.80
Salvador Rafael Mandry Mercado	3.320
Adrián Roberto Mandry Mercado	3.320
Eduardo José Mandry Mercado	3.320
Margarita Rosa Mandry Mercado	3.320
María del C. Amalia Mandry Llobart	3.70
Selma Verónica Mandry Llobart	3.70
Juan Carlos Esteva Fingerhut	2.04
Pedro Miguel Esteva Fingerhut	2.05
Mariano J. McConnie Fingerhut	2.05
Janice Marie McConnie Fingerhut	2.04
Víctor Michael Fingerhut Cochran	2.04